

UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,332 (RT)

The Regents of the
UNIVERSITY OF CALIFORNIA
(6,210,707),
Junior Party,

v.

ALZA CORPORATION
(09/876,707 and 10/115,566),
Senior Party.

REDECLARATION - Bd.R. 203(c)

By TORCZON, Administrative Patent Judge.

1 A. Declaration of interference

2 This interference is redeclared pursuant to 35 U.S.C. 135(a). The examiner has indicated
3 that the indicated claims of the 09/876,707 application are directed to the same invention as the
4 subject matter of the count.

5 Details of the applications, patent, count, and claims designated as corresponding to the
6 count appear under headings E and F of this REDECLARATION. Since the motions phase is
7 already well advanced, no motion attacking the patentability of Alza's 09/876,707 application
8 claims is authorized. This redeclaration is without prejudice to Alza moving to have its
9 09/876,707 application claims designated as not corresponding during the priority phase.

E. The parties to this interference

Junior Party (no change)

Patent: 6,210,707, granted 3 April 2001

(09/076,618, filed 12 May 1998)

Title: Methods of forming protein-linked lipidic microparticles, and compositions thereof

Inventors: Demetrios Papahadjopoulos,

Keelung Hong,

Weiwen Zheng, and

Dmitri B. Kirpotin, all of San Francisco, California

Senior Party

Application: 09/876,707, filed 7 June 2001

Title: Therapeutic liposome composition and method of preparation

Inventors: Theresa M. Allen of Edmonton, Canada;

Paul Uster of Pleasanton, California;

Francis J. Martin of San Francisco, California; and

Samuel Zalipsky of Redwood City, California

Application: 10/115,566, filed 2 April 2002

Title: Therapeutic liposome composition and method of preparation

Inventors: Theresa M. Allen of Edmonton, Canada;
Paul Steven Uster of Pleasanton, California;
Francis J. Martin of San Francisco, California; and
Samuel Zalipsky of Redwood City, California

F. Count and claims of the parties

Count 1 (no change)

The method of 6,210,707 patent claim 3.

The claims of the parties are:

Regents: 1-46
Alza 707: 21, 22, 25-32, and 57-59
Alza 566: 57-70

The claims corresponding to Count 1:

Regents: 1, 3, 7-19, 24-27, and 31-46
Alza 707: 21, 22, 25-32, and 57-59
Alza 566: None

The claims not corresponding to Count 1:

Regents: 2, 4-6, 20-23, and 28-30
Alza 707: None
Alza 566: None

1 The benefit accorded for Count 1 (no change):

2 Regents: 08/967,791, filed 10 November 1997; and

3 60/030,578, filed 12 November 1996

4 Alza.: 09/876,707, 7 June 2001;

5 09/517,224, filed 2 March 2000;

6 09/138,480, filed 21 August 1998;

7 08/949,046, filed 10 October 1997; and

8 60/028,269, filed 11 October 1996

9 G. Heading to be used on papers; exhibit numbers

10 Addendum 1 provides the heading that shall be used on all papers filed in the contested

11 case. See SO ¶ 106.1.1.

cc:

For the Regents of the University of California, Guy W. Chambers and Laurence J. Hyman,
TOWNSEND AND TOWNSEND AND CREW LLP, of San Francisco, California.

For Alza Corporation, Joseph Lucci and S. Maurice Valla, WOODCOCK WASHBURN LLP, of
Philadelphia, Pennsylvania.

ADDENDUM 1

Filed on behalf of: [Name of Party]
By: [Name of lead counsel
Name of backup counsel
Street address
City, State, and ZIP Code
Tel:
Fax:]

Paper No. [Leave blank]

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TITLE OF PAPER